

Notice of Allowability

Application No.

10/660,031

Examiner

Douglas N. Washburn

Applicant(s)

JONES ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 11 February 2005.
2. ☒ The allowed claim(s) is/are 2-13, 15, 16 and 18-20.
3. ☒ The drawings filed on 11 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>0622005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION
EXAMINER'S AMENDMENT

1 An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms Joan Pennington on 2 March 2005.

Amend claim 8 as follows:

A method for implementing enhanced notification and control features [as recited in claim 1 wherein the step of using said user selected notification options, notifying said remote user of said identified predefined event includes the steps of features] in an oscilloscope comprising the steps of:
receiving user selected notification options and user selected control options;
identifying a predefined event;
using said user selected notification options, notifying a remote user of said identified predefined event including identifying a user selected telephone number, calling said user selected telephone number, and giving a message to the user including a predefined list of items; and
using said user selected control options, receiving user selections for enabling the user to remotely control oscilloscope operational settings.

Response to Amendment

2 Applicant amendment overcomes §102(b) rejection of claims 2-4, 11, 13 and 15 and the rejection is withdrawn.

Applicant amendment overcomes objection to claims 5-10, 12 and 18-20 and the objection is withdrawn.

Allowable Subject Matter

3 The following is an examiner's statement of reasons for allowance:

Claim 8 recites, in part, "receiving user selected notification options and user selected control options; identifying a predefined event; using said user selected notification options, notifying a remote user of said identified predefined event including identifying a user selected telephone number, calling said user selected telephone number, and giving a message to the user including a predefined list of items; and using said user selected control options, receiving user selections for enabling the user to remotely control oscilloscope operational settings". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 2-7 and 9-13 depend from claim 8.

Claim 18 recites, in part, "a processor operatively controlled by said notification and control program for identifying a predefined event using said user selected notification options and notification data. for notifying a remote user of said identified predefined event, and using said user selected control options and control data. for receiving user selections for enabling the user to remotely control oscilloscope operational settings". This feature in combination with the remaining claimed structure avoids the prior art of record.

Claims 19 and 20 depend from claim 18.

It is these limitations, which are not found, taught or suggested in the prior art of record, and are recited in the claimed combination that makes these claims allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas N. Washburn whose telephone number is (571) 272-2284. The examiner can normally be reached on Monday through Thursday 6:30 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


MICHAEL NGHIEM
PRIMARY EXAMINER

DNW

3/1/05